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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/816,116	03/26/2001	In-Seok Seo	04691.0144	6250
22852	7590	06/06/2005	EXAMINER	
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			NGUYEN, LUONG TRUNG	
		ART UNIT		PAPER NUMBER
				2612

DATE MAILED: 06/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/816,116	SEO, IN-SEOK	
	Examiner	Art Unit	
	LUONG T. NGUYEN	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on Amendment filed on 12/06/2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-4 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 06 December 2004 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

1. It is noted that this application has been transferred to Examiner Luong T. Nguyen, Art Unit 2612.

Response to Arguments

2. Applicant's arguments filed on 12/06/2004 have been fully considered but they are not persuasive.

In re page 8, Applicant argues that Yamagata reference does not disclose or suggest a photographing device capable of adjusting image size, including a selection unit for selecting photographing modes that stores one frame image signals as the size of a first mode or a second mode, and a microprocessor for storing compressed image signals in a first memory when a user wishes to modify the image signals captured by the first mode size into image signals of the second mode size, the size of the first mode being greater than that of the second mode.

In re page, regarding claim 1, the Applicant recited the limitation "a selection unit for selecting photographing modes that stores one frame image signals as the size of a first mode or a second mode, and a microprocessor for storing compressed image signals in the first memory when a user wishes to modify the image signals captured by the first mode size into image signals of the second mode size, the size of the first mode being greater than that of the second mode." The examiner considers that claim 1 as recited still does not distinguish from Yamagata. Yamagata discloses that the image data files can be stored in a low-compression format (the size of the first mode) or high-compression format (the size of the second mode); and the modes can

be selected (column 5, lines 26-40). Yamagata also discloses that if the originally stored image data is low-compression format image data (1/4 compression with reference to the image data stored in the image data memory 35 (the first mode size)), it is compressed into high-compression format image data (1/16 compression with reference to the image data stored in the image data memory 35(the second mode size)), column 11, line 39 – column 12, line 3.

In re page 9, Applicant argues that Yamagata reference does not relate to adjusting image sizes.

In response, the Examiner considers that Yamagata reference does relate to adjusting image sizes. Yamagata discloses the selection of different compression formats, such as low-compression format or high-compression format (column 5, lines 26-40). This clearly indicates that the image size is adjusted.

Claim Objections

3. Claims 2-4 are objected to because of the following informalities:

Claim 2 (line 3), “an image” should be changed to --the image--.

Claim 3(lines 1-2), “the image capturing device” should be changed to --the image capturing unit--.

Claim 4 (lines 6-7), “the second mode size” should be changed to --a second mode size--.

Claim 4 (line 12), “the second mode” should be changed to --the second mode size--.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Yamagata (US 6,263,106).

Regarding claims 1 and 4, Yamagata discloses, in figure 2, a photographing device capable of adjusting image sizes, comprising:

an image capturing unit (CCD 28, figure 2, column 4, lines 23-57) for capturing an image of a subject and generating corresponding image signals;

a first memory (IC memory card M, figure 2, column 4, lines 58-63) for compressing the image signals output by the image capturing unit per frame and storing the compressed image signals;

a second memory (image data memory 35, figure 2, column 6, lines 1-5) for restoring the compressed image signals and storing the restored image signals;

a selection unit for selecting photographing modes that stores one frame image signals as the size of a first mode (low-compression format) or a second mode (high-compression format; see column 5, lines 26-40);

a microprocessor (system controller 25, figure 2) for restoring the corresponding image signals stored in the first memory (Yamagata is capable of expanding compressed image data

from the IC memory card M to be compressed at a higher compression rate, column 5, lines 26-40), storing the restored image signals in the second memory (the expanded image data is stored in image data memory 35, figure 2, column 6, lines 1-5), deleting the image signals of the first memory (step S166, figure 11, column 11, lines 65-67), sampling the restored image signals of the second memory (inherent feature), compressing the sampled image signals according to a compression ratio corresponding to the second mode (Yamagata discloses that if image data initially stored using a low-compression format is selected to be re-compressed, the system automatically re-compressed the data using a higher compression format, column 5, line 66 – column 6, line 10), and storing the compressed image signals in the first memory when a user wishes to modify the image signals captured by the first mode size into image signals of the second mode size, the size of the first mode being greater than that of the second mode (Yamagata discloses that if the originally stored image data is low-compression format image data (1/4 compression with reference to the image data stored in the image data memory 35 (the first mode size)), it is compressed into high-compression format image data (1/16 compression with reference to the image data stored in the image data memory 35(the second mode size)), column 11, line 39 – column 12, line 3).

Regarding claim 2, Yamagata discloses an image capturing lens (photographing optical system 21, figure 2, column 4, lines 25-35);
a charge coupled device (CCD 28, figure 2) for capturing the image of the subject and outputting corresponding analog signals;

an analog signal processor (signal processing circuit 33, figure 2) for processing the analog signals output by the CCD and removing noises;

a signal converter (A/D converter 34, figure 2) for converting the analog signals into digital signals.

a digital signal processor (image data processing circuit 36, figure 2) for processing the digital signals and generating corresponding image signals.

Regarding claim 3, Yamagata discloses a memory controller (memory card control circuit 41, figure 2) for inputting and outputting the image signals to the first and second memories according to control of the microprocessor.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

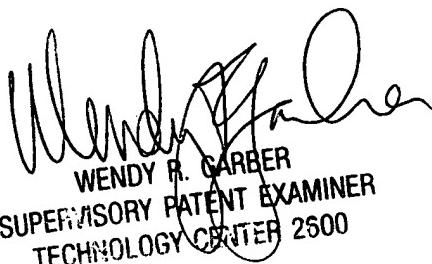
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUONG T. NGUYEN whose telephone number is (571) 272-7315. The examiner can normally be reached on 7:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on (571) 272-7308. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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